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3
4 UNITED STATES DISTRICT COURT

5 DISTRICT OF NEVADA

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7 DENNIS MONTGOMERY and the)
8 MONTGOMERY FAMILY TRUST,)
9 Plaintiffs,) 3:06-CV-00056-PMP-VPC
10 v.) BASE FILE
11 ETREPPID TECHNOLOGIES, LLC;)
12 WARREN TREPP; and the UNITED) 3:06-CV-00145-PMP-VPC
13 STATES DEPARTMENT OF DEFENSE,)
14 Defendants.)
15
16 AND ALL RELATED MATTERS.)
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O R D E R

16 Based on the Stipulation of the Parties, and for good cause shown, it is hereby
17 ordered that:

18 1. All claims asserted in Montgomery, et al. v. eTreppid Technologies, LLC, et
19 al., Case No. 3:06-CV-00056-PMP-VPC (Base File) and Case No. 3:06-CV-00145-PMP-
20 VPC (the “Lawsuit”) by Dennis Montgomery and the Montgomery Family Trust
21 (collectively, the “Montgomery Parties”) against eTreppid Technologies, LLC and Warren
22 Trepp (collectively, the “eTreppid Parties”) are dismissed with prejudice.

23 2. All counter-claims asserted by eTreppid Technologies, LLC in the Lawsuit
24 against the Montgomery Parties, Edra Blixseth, and Opspring, LLC are dismissed with
25 prejudice.

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1 3. Notwithstanding the above referenced dismissals with prejudice, the Court
2 shall retain jurisdiction over the following: (1) Michael Flynn's ("Flynn") motion to
3 establish procedures to comply with Nevada Rules of Professional Conduct 3.3(a)(3) and
4 (b) (Doc. #540); (2) Flynn's motion for sanctions (Doc. #545); (3) the terms of the United
5 States Protective Order (Doc. #252, #253); and (4) enforcement of the confidentiality and
6 non-disparagement provision of the Parties' Settlement Agreement.

7 4. The terms of the Parties' Settlement Agreement shall remain confidential.

8 5. Flynn's Motion to Retain Jurisdiction, Prevent Spoliation of Evidence,
9 Enforce Existing Orders, and Enter a Judgment that Includes All Fees and Costs Awarded
10 to Former Counsel (Doc. #860) is hereby GRANTED to the extent the Court retains
11 jurisdiction over the above listed matters. The motion is denied in all other respects.

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13 DATED: February 19, 2009

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16 PHILIP M. PRO
United States District Judge

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